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## Painter: Illegal wastewater dumping continues throughout county

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Midland County Sheriff Gary Painter, pictured above

The illegal dumping of wastewater from oil and gas activity continues to beleaguer law enforcement agencies throughout the Permian Basin. Scofflaw haulers dump truckloads of waste water in remote sites in order to cut costs of proper disposal. Yet despite how directly law enforcement cracks down on the issue, it's become seemingly impossible to snuff.

"We're having a lot of trouble with some of these companies that are dumping waste oil -- waste water that contains contaminants -- in the ditches along county roads, alongside state highways," Midland County Sheriff Gary Painter said. "We're having that all over the place."

The problem is not specific to any one county. In 2011, Ector County established the Environmental Enforcement Office specifically targeting criminal and civil cases of illegal dumping -- it remains the first and only of its kind. The office has since increased its staff to three officers and has helped bring criminal charges upon several illegal dumpers.

The downturn, which has many waste-hauling companies in a pinch, has compelled a few to release their wastewater load illegally, officials said, even in counties on the southern stretches of the Basin.

"This is just something that we're trying to address in our county, because it seems to be getting a little bit worse than it normally is," said Pecos County Sheriff Cliff Harris.

Last February, members of the Middle Pecos Groundwater Conservation District in Pecos County stumbled upon a large wastewater dumping site while performing a routine check on a monitoring water well.

"We just happened to be going around a different route that day and just drove upon it," said Ty Edwards, Assistant General Manager of the MPGCD. "This is our second or third flagrant violation of somebody dumping produced water on the ground for multiple years that could impact groundwater."

The district then reported it to the Railroad Commission, which immediately sent investigators to the scene. It was determined that the spill site had been ongoing for at least two years at a flow rate of 3 gallons per minute -- an estimated 75,000 barrels, according to the Fort Stockton Pioneer. The culprit: Bugington Energy, LLC, Edwards said, an oil and gas service company operating on more than 20 sites in Pecos County.

The discovery of the spill site was alarming to the district, which is charged with managing groundwater sources beneath Pecos County. Studies over the extent of contamination have yet to be completed, but penalties against the company are being considered by the RRC. Meanwhile, Texas Rangers are conducting a criminal investigation, though the company denies the spill was intentional, according to an Odessa American report.

On Thursday night, Pecos County officials met with RRC officials and Ector County's Environmental Enforcement Office in order to establish a multi-departmental task force to further fight illegal dumping. It's a task force Painter said he would be interested in.

"A lot of it is just lazy truckers, then you have companies that are going to cut every corner they can to save them money and to cut down on their workload," Painter said.

Disposal costs can amount to hundreds of dollars per truckload of wastewater.

"With the drop in the oil prices, oil companies are trying to save as much money as they can," said Kent Rivas with Oilfield Water Logistics. The company operates three disposal sites in the Permian Basin, and charged 65 cents per barrel of wastewater for disposal. Price per barrel of disposal across the Basin can range from 45 to 65 cents, Rivas said.

"It'll go on. As long as there's an oil field and as long as there are people, you're going to have intentional spills, and you're going to have accidental spills," Painter said.

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